

HOUSE BILL 308

By Capley

AN ACT to amend Tennessee Code Annotated, Title 8;
Title 16; Title 36 and Title 37, relative to guardians
ad litem.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 37, Chapter 1, is amended by adding
the following as a new part:

37-1-1001.

(a) There is created a pilot project in the twenty-second judicial district to
establish an office of the guardian ad litem to represent the best interest of children in
dependency and neglect proceedings.

(b) The office of the guardian ad litem is intended to:

(1) Create more timely permanency for children in dependency and
neglect proceedings, including by expedited adoption proceedings where
appropriate;

(2) Create consistency in representation of children in dependency and
neglect proceedings;

(3) Reduce the workload of the department of children's services;

(4) Promote the efficient use of monetary resources; and

(5) Ensure quality representation for all children in dependency and
neglect proceedings.

(c)

(1) The office of the guardian ad litem is supervised by and
administratively attached to the secretary of state's office.

(2) Employees of the office of guardian ad litem are state employees and are not required to seek payment from the administrative office of the courts.

(3) The office of the guardian ad litem shall employ a managing attorney, to be hired by the secretary of state.

(4) The office of the guardian ad litem shall employ the following, each of whom shall be hired by the managing attorney:

(A) Five (5) guardians ad litem, as defined in Supreme Court Rule 40;

(B) One (1) administrative assistant; and

(C) Two (2) legal assistants.

(5) The office of the guardian ad litem is established in Lawrence County and shall serve courts in each county within the twenty-second judicial district.

(6) The managing attorney and each guardian ad litem employed by the office of guardian ad litem must be certified child welfare law specialists.

(d) The office of the guardian ad litem shall seek available funding from the federal government to fund the uniform training of employees of the office.

(e) The office of the guardian ad litem shall compile a report of the results of the pilot project and any recommendations for related legislation, to be filed with the judiciary committee of the senate and the civil justice committee of the house of representatives by January 15, 2026.

SECTION 2. For the purposes of implementation, this act takes effect upon becoming a law, the public welfare requiring it. For all other purposes, this act takes effect January 1, 2024, the public welfare requiring it.